

# STATE OF NEW HAMPSHIRE

## PROBATE COURT

### ADMINISTRATIVE ORDER 13

#### RELATIVE TO: Obtaining a Decedent's Medical Records

In some cases, a review of a decedent's medical records is sought where there are no assets currently requiring probate. In such cases, the following procedure shall apply:

1. To seek such records, a petition/motion form (Form NHJB-2128-P) will be filed in the county where the decedent resided at the time of death. In addition, the petitioner will include:
  - a. A certified copy of the decedent's death certificate if not already on file with the Court.
  - b. An explanation as to why the petitioner feels that they have standing to request these records and a brief explanation as to why the records are being sought.
  - c. Identification of hospitals and/or physicians from which the medical records are requested.
2. No filing fee will be charged.
3. Notice requirements for these cases will be at the discretion of the probate judge.
4. The petitioner will only be appointed for the purpose of obtaining the decedent's medical records and will not be given any additional authority to receive or to administer estate assets. This appointment will expire sixty (60) days from the date of the Judge's Order.
5. The Register shall close the file:
  - a. Immediately if the Judge denies the request; or
  - b. Sixty (60) days from the date of the Judge's Order granting the request unless a motion to extend the time allotted has been granted, in which case, the file shall be closed after the expiration of that time period.

**Last Reviewed:** August 1, 2007

\_\_\_\_\_/s/ David D. King  
David D. King  
Administrative Judge of Probate Court

History:

Revised August 1, 2007

Effective March 7, 2005

See also:

Probate Court Administrative Order 7 relative to Estates Opened Solely to Pursue a Cause of Action

Probate Court Procedure Bulletin 7 relative to The Appointment of Temporary Administrators Pursuant to RSA 553:20-a